

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

DANIEL JONES, on behalf of himself and all others similarly situated,	)	CASE NO. 1:18-cv-00011
	)	
Plaintiff,	)	JUDGE CHRISTOPHER A. BOYKO
	)	
vs.	)	
	)	
THE LUBRIZOL CORPORATION,	)	<b>JOINT STIPULATION TO</b>
	)	<b>CONDITIONAL CERTIFICATION AND</b>
	)	<b>NOTICE</b>
Defendant.	)	
	)	

Plaintiff and Defendant, pursuant to Section 16(b) of the Fair Labor Standards Act (“FLSA”), 29 U.S.C. 216(b), hereby jointly agree to conditionally certify the present FLSA collective action and provide notice to the putative class members of Plaintiff’s FLSA claims.

On October 25, 2018, this Honorable Court granted Plaintiff’s motion for Conditional Certification, Expedited Opt-In Discovery, and Court Supervised Notice to Potential Opt-In Plaintiffs. (Doc.# 25.) Following the Court’s Order, the Parties engaged in substantial conversations and request that this Honorable Court enter the Order attached hereto as exhibit 2, as the Parties have agreed to stipulate to conditional certification and notice as follows:

1) The following collective action is stipulated as conditionally certified pursuant to Section 16(b) of the FLSA: All current and former manufacturing employees of The Lubrizol Corporation, excluding union members, as well as individuals employed by third-party staffing agencies, who worked at locations within the United States between January 2, 2015 and the present.

2) The parties jointly submit Exhibit 1 containing proposed language for notification and consent forms to be authorized by the Court.

3) Defendant has provided Plaintiff with the Class List pursuant to this Honorable Court's October 25, 2018 Order.

4) The Parties have stipulated that union members will be excluded from the FLSA Class and will not receive the proposed notice.

5) Plaintiff shall issue the proposed notice attached as Exhibit 1 to the individuals appearing on the Class List provided by Defendant via First-Class Mail and Email on January 7, 2019. Plaintiff will not issue notice to individuals appearing on the Class List who have been union members at all times between January 2, 2015 and the present.

6) The opt-in period will close as to the potential opt-in plaintiffs on February 7, 2019.

7) Defendant is not waiving any rights or defenses by virtue of this Stipulation. Defendant expressly preserves all rights and defenses, including, but not limited to, seeking to decertify the conditional collective action, objecting to the proposed final collective action certification, and objecting to the proposed collective action as not meeting the requirements of Federal Rule of Civil Procedure 23 and section 16(b) of the Fair Labor Standards Act ("FLSA"), 29 U.S.C. § 216(b), and/or any other legal and/or factual basis.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on December 7, 2018, a copy of the foregoing *Joint Stipulation to Conditional Certification and Notice* was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access the filing through the Court's system.

/s/ Chastity L. Christy  
Chastity L. Christy